REMARKS

Applicants have amended claim 27 to recite that the thermoplastic film of the claim avoids problems inherent in a gel coat. Support for the amendment is found in paragraph [0031] of the original published application as filed.

The comments in this letter are in response to the Examiner's Action dated October 9, 2007. In the action, the Examiner maintains a rejection over claims 27-28, 32-36 and 43-49 as rejected under 35 U.S.C. § 103a over El Bouhnini et al., US Patent No. 4,242,406. Since this reference does not teach applicant's combination of exterior film layer with Applicant's second thermoplastic layer or Applicant's third thermoplastic layer and a cured fiber reinforced thermoset layer, applicants assert that this reference is simply irrelevant to the invention. The second and third layers in El Bouhnini et al. are cured epoxy or unsaturated polyester thermoset materials. As such, Applicant's respectfully traverse the rejection.

There is essentially no relationship between the structure shown in El Bouhnini et al., and the claimed structure. Figure 1 of the El Bouhnini et al., structure is as follows:

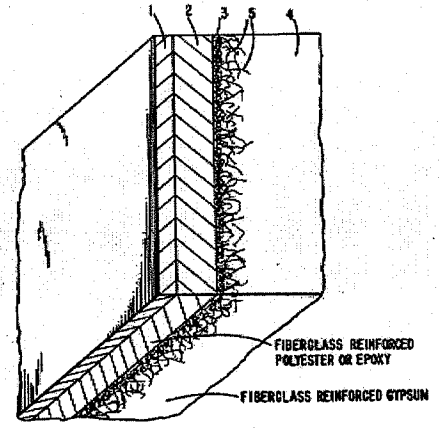


FIG. 1

In the Fig. 1, shown above:

layer (1) is preferably a gel coat but can be a film;

layer (2) is a cured thermoset layer:

layer (3) is a cured thermoset layer with a dispersion of glass fiber in layers (2), (3) and layer (4); and

layer (4) is a glass fiber reinforced gypsum layer (not a urethane). Numeral (5) relates to glass fibers that penetrate from the thermoset cured layer (3) into the gypsum layer (4). In this structure there is no exterior thermoplastic film over a second thermoplastic film, no underlying thermoplastic film layer (2), (3) nor a cured fiber reinforced thermoset in contact with a thermoplastic layer as claimed.

Applicants have amended claim 27 to indicate that the first layer is a thermoplastic film that avoids problems adherent in gel coat layers. This language excludes the gel coat layer of the El Bouhnini reference. The second and third layers claimed by Applicant's are thermoplastic films not epoxy or unsaturated polyester resin thermosets.

The Examiner asserts that the curable organic resin, in layers (2) and (3), is the same thing as Applicant's second and third thermoplastic layer, this is simply untrue. The second layer in El Bouhnini is a thermosetting resin such as a unsaturated polyester resin or an epoxy. See column 2, lines 55-63. The following text relates to details of thermoset polyester and epoxy resins. None of these materials are thermoplastic in any character.

The bonding layer (3) is the same thermoset resin as used in the second layer. See column 6, lines 17-24. These layers in the reference are curable thermosetting material which is not a substitute for thermoplastic film. Thermoplastic resins and thermosetting resins are different in purpose, structure, chemistry, processing and essentially every other aspect. Thermoplastics are meltable and reformable, can be extruded and processed in thermoplastic processing. Thermoset resins once they are formed and cured cannot be reformed, melted, extruded, etc. No one skilled in this art would substitute a thermoplastic resin for a thermosetting resin in this application. The use of a thermosetting resin in this application would destroy any utility of the structure as claimed.

The Examiners comments in paragraph 5 are as follows:

The reference discloses that the first layer is an exterior layer and comprised of acrylic and has a thickness of from about 15 to 25 mil (column 2, lines 15-35). Additionally, the

reference discloses a second layer comprising an organic resin capable of curing at room temperature such an acrylic (See column 2, lines 41-55). It is disclosed in column 5; lines 59-68 that the third layer comprises an organic resin. The fourth layer in the reference is disclosed as a fiber-reinforced layer wherein the reinforcing fibers are glass (see column 6, lines 30-43). It is disclosed in column 5, lines 40-41 that polyurethane can be used in he reinforcing layer. The reference does not disclose the use of an acrylic for the third layer. However, the reference does disclose that the third layer is an organic resin. Acrylic resin is a good bonding agent. Therefore, it would have been obvious to one of ordinary skill in the art to recognize that acrylic resin could be used in the third layer of the El Bouhnini reference in order promote adhesion.

The Examiner argues that the reference discloses a second layer comprising an organic resin capable of curing. The Examiner appears to understand that the resin is a thermosetting curable resin and is not a thermoplastic resin. This difference is critical and differentiating from El Bouhnini. The third layer as discussed by the Examiner is a glass reinforced curable polyester or epoxy resin. The second layer in El Bouhnini is a thermosetting resin such as a unsaturated polyester resin or an epoxy. See column 2, lines 55-63. None of these materials are thermoplastic in any character. The bonding layer (3) is the same thermoset resin as used in the second layer. See column 6, lines 17-24. The second layer is not a thermoplastic layer; it is a curable thermoset layer, completely different from the claimed thermoplastic layer. No one of ordinary skill in the art would substitute a thermoset for a thermoplastic in this application.

The Examiner argues that the fourth layer is a fiber reinforced layer wherein the reinforcing fibers are glass fibers. The Examiner argues that the fourth layer is discussed at column 5, lines 40-41. The Examiner is incorrect in this conclusion. This aspect of the specification relates to the second layer or the bonding layer (3). The fourth layer of the reference is a gypsum layer that does not contain any resin. Gypsum is calcium sulfate, it is not a thermosetting resin. There is no relationship between a fiber reinforced gypsum layer and the thermosetting resin of the invention.

Lastly, the Examiner argues that the reference discloses that the third layer is an organic resin. Applicant's claim third layer is a thermoplastic film. The organic resins as suggested in application are as a whole for the third layer curable thermoset materials that are not in the form of a thermoplastic resin. One would not use the materials suggested in the reference for a film layer in the claim structure.

On page 4, the Examiner states as follows:

> Applicant argues that the present structure uses three thermoplastic layers a single fiber reinforced layer. El Bouhnini has three thermoplastic layers: (1) exterior layer of acrylic resin film (2) second layer comprising a thermoplastic resin such as polyester (3) a bonding layer wherein the resin can be the same resin as used in the second layer and a fiber reinforced layer wherein the reinforcing material is gypsum. The reference has the same structure as required in the present claims.

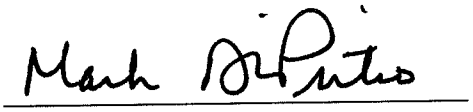
The Examiner argues that the second layer comprises a thermoplastic resin such as polyester and a bonding layer where in the resin can be the same resin as used in the second layer and a fiber reinforced layer wherein the reinforcing material is gypsum. The Examiner is incorrect in this assertion. The second layer in El Bouhnini is a thermosetting resin such as a unsaturated polyester resin or an epoxy. See column 2, lines 55-63. None of these materials are thermoplastic in any character. The bonding layer (3) is the same thermoset resin as used in the second layer. See column 6, lines 17-24. These layers used in the second layer are thermosetting and are not thermoplastic. No one of ordinary skill in the art in this technology would substitute a thermosetting resin for a thermoplastic film in this application.

Lastly, the Examiner misses the point that the fourth layer uses a resin reinforced by gypsum. This assertion is not correct. This layer is gypsum reinforced by glass. See column 6, line 30 to column 7, line 5. The gypsum is not the reinforcing material. This layer is not a glass fiber reinforced thermosetting layer. These are not the same things and have no corresponding aspect.

In view of the above amendments and remarks, Applicants have rendered all claims allowable, and respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

Dated: February 8, 2008



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